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LODGED

APR 11 2007
 11:05 AM
 CLERK, U. S. DISTRICT COURT
 DISTRICT OF HAWAII

FILED IN THE
 UNITED STATES DISTRICT COURT
 DISTRICT OF HAWAII

APR 12 2007 Ag

at 11 o'clock and 40 min AM
 SUE BEITIA, CLERK

Attorneys for Defendant
 SHAWN AGUIAR

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,

CR. NO. 05-00206-04 JMS

Plaintiff,

) STIPULATION AND ORDER AMENDING
) THE "JUDGMENT IN A CRIMINAL
) CASE" FOR DEFENDANT SHAWN
) AGUIAR (FILED MARCH 15, 2007),
) CONTINUING DEFENDANT SHAWN
) AGUIAR'S MITTIMUS DATE,
) AND CLARIFYING THE COURT'S
) RECOMMENDATION TO THE
) FEDERAL BUREAU OF PRISONS

vs.

SHAWN AGUIAR,

Defendant.

)

**STIPULATION AND ORDER AMENDING THE "JUDGMENT
 IN A CRIMINAL CASE" FOR DEFENDANT SHAWN AGUIAR
 (FILED MARCH 15, 2007), CONTINUING DEFENDANT SHAWN
 AGUIAR'S MITTIMUS DATE, AND CLARIFYING THE COURT'S
 RECOMMENDATION TO THE FEDERAL BUREAU OF PRISONS**

Good cause appearing, Plaintiff UNITED STATES OF AMERICA and Defendant SHAWN AGUIAR, by and through their respective undersigned counsel, hereby stipulate and agree to the following:

1. On March 15, 2007, a Judgment In A Criminal Case was filed as to Defendant SHAWN AGUIAR. The Judgment In A Criminal Case sentenced Mr. AGUIAR to eighty-four months of imprisonment; set the mittimus for 2:00 p.m. on April 24, 2007; and recommended to the Federal Bureau of Prisons that Mr. AGUIAR be incarcerated at

"1) Lompoc, CA." or "2) Terminal Island, CA."

2. In a letter dated March 29, 2007, Mr. AGUIAR's undersigned counsel informed the court that Mr. AGUIAR's physician -- Paul Arrington, M.D., FACS, of Hilo Surgical Associates -- had recommended that Mr. AGUIAR undergo a medical procedure prior to Mr. AGUIAR's incarceration. Attached to that letter as Exhibit 1 was a copy of a letter dated March 28, 2007, from Dr. Arrington. Mr. AGUIAR's counsel requested that Mr. AGUIAR's mittimus be continued from April 24, 2007, to June 25, 2007, to provide sufficient time for the medical procedure to be performed and for Mr. AGUIAR to recover from the procedure, a process that would include periodic medical evaluations and adjustments by Dr. Arrington. The government had no objection to Mr. AGUIAR's request to continue the mittimus to June 25, 2007.

3. Clarification is required concerning the Judgment In A Criminal Case's aforesaid recommendation to the Federal Bureau of Prisons regarding the facility in which to incarcerate Mr. AGUIAR. In Lompoc, California, the Federal Bureau of Prisons operates USP Lompoc, FCI Lompoc, and a Satellite Prison Camp. The Judgment In A Criminal Case's reference to "Lompoc" was intended to refer to FCI Lompoc and the Satellite Prison Camp at Lompoc, but not to USP Lompoc. Furthermore, the Judgment In A Criminal Case's reference to "Terminal Island" was intended to refer to FCI Terminal Island.

4. In view of the foregoing, the Judgment In A Criminal Case is HEREBY AMENDED as follows: (1) regarding the mittimus, on page 2 of the Judgment In A Criminal Case the phrase "before 2:00

p.m. on 4/24/2007" is amended to state "before 2:00 p.m. on 6/25/2007"; and (2) regarding the court's recommendation to the Federal Bureau of Prisons, on page 2 of the Judgment In A Criminal Case the words "1) Lompoc, CA. 2) Terminal Island, CA." are amended to state "1) Satellite Prison Camp at Lompoc, California; 2) FCI Lompoc at Lompoc, California; and 3) FCI Terminal Island at San Pedro, California."

DATED: Honolulu, Hawaii, April 3, 2007.

AGREED AND SO STIPULATED:



BROOK HART
Attorney for Defendant
SHAWN AGUIAR



CHRIS THOMAS
Assistant United States Attorney
Attorney for Plaintiff
UNITED STATES OF AMERICA



JULIE WALL
United States Pretrial Services

APPROVED AND SO ORDERED:



JUDGE OF THE ABOVE-ENTITLED COURT

UNITED STATES OF AMERICA v. SHAWN AGUIAR, Cr. No. 05-00206-04 JMS;
Stipulation And Order Amending The "Judgment In A Criminal Case"
For Defendant Shawn Aguiar (Filed March 15, 2007), Continuing
Defendant Shawn Aguiar's Mittimus Date, And Clarifying The Court's
Recommendation To The Federal Bureau Of Prisons